

UNITED STATES DISTRICT COURT
for the

Eastern District of Wisconsin

United States of America
v.
Ivan Delgado
a/k/a Delgado-Rodriguez, Ivan & Salgado, Alex
DOB: xx/xx/1990; A205 279 646

Case No. 20 MJ 228

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 9, 2020 in the county of Walworth in the
Eastern District of Wisconsin, the defendant(s) violated:

Code Section

Offense Description

Title 8, Sections 1326(a) and (b)(2)

re-entry without permission after removal, having committed an aggravated felony

This criminal complaint is based on these facts:

see attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

Matthew Wolter, Deportation Officer

Printed name and title

Sworn via telephone; transmitted via email
pursuant to Fed. R. Crim. 4.1

Date: November 16, 2020


Judge's signature

City and state: Milwaukee, Wisconsin

William E. Duffin, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Deportation Officer Matthew J. Wolter, first being duly sworn under oath, hereby depose and state as follows:

1. I am a Deportation Officer with U.S. Immigration and Customs Enforcement (“ICE”) and have been so employed for eleven years. I am presently assigned to the criminal alien program, which is responsible for the detection, interdiction, and apprehension of criminal aliens present within the United States. I have received training and possess experience in enforcing federal laws pertaining to crimes committed against the United States by criminal aliens, to include the investigation, detection and interdiction thereof. I have also received specialized training relating to the Immigration and Nationality Act, as amended (INA). This affidavit is based on my own personal knowledge and information from investigation reports and information given to me by other law enforcement agents and officers, information obtained from witnesses, and personal review of documents and other information gathered in the course of this investigation. Because this affidavit is submitted for the limited purpose of establishing probable cause in support of the attached complaint, this affidavit does not set forth each and every fact I have learned during this investigation.

2. This affidavit is submitted in support of the attached criminal complaint charging DELGADO, Ivan; AKA-DELGADO-Rodriguez, Ivan and SALGADO, Alex, with reentry into the United States after deportation subsequent a conviction for commission of an aggravated felony, in violation of Title 8, United States Code, Sections 1326(a) and (b)(2).

3. On or about November 09, 2020, the Milwaukee ICE office at Milwaukee, Wisconsin was notified by the Law Enforcement Support Center that the Delavan Police Department had arrested individual named Ivan DELGADO, date of birth September 29, 1990

and booked him into the Walworth County Jail. An ICE Detainer was placed on the Ivan DELGADO by DO Jason Lang. Immigration Central Index System computer check revealed that a person with the name of Ivan DELGADO with the same date of birth was assigned immigration alien file (A-File) A205 279 646 and was a native and citizen of Mexico who was previously removed from the U.S. on December 29, 2012.

4. A review of DELGADO's alien file reveals that he was last encountered by ICE on or about November 26, 2012 after his release from prison in Illinois. On May 26, 2011 DELGADO was convicted in the Circuit Court of Cook County, State of Illinois for the offense of Residential Burglary, in violation of Illinois State Statute 720-5/19-3(a) for which DELGADO was sentenced to 4 years prison. DELGADO was placed in removal proceedings pursuant to Section 238(b) of the Immigration and Naturalization Act. On December 07, 2012 DELGADO was ordered removed from the United States to Mexico. DELGADO was physically removed from the U.S. on December 14, 2012 at Brownsville, Texas. There is no evidence in DELGADO's alien file or computerized records checks indicating that DELGADO ever applied for or received permission from the US Attorney General or his successor the Secretary of Homeland Security to re-apply for admission to the United States.

5. On November 12, 2020 DELGADO was arrested at the Walworth County Jail, Elkhorn, Wisconsin by ICE officers and brought to the Dodge County Jail for processing. DELGADO was advised of his Miranda rights in the English and Spanish languages. DELGADO stated that he understood his rights and that he did not want to provide a statement under oath without the presence of an attorney. DELGADO's fingerprints were run through the Integrated Automated Fingerprint Identification System ("IAFIS") and the Automated Biometric Identification System ("IDENT"). IAFIS records revealed that GONZALEZ is the same person

who was assigned FBI identification number 155476PC7 and had been the same subject convicted of an aggravated felony. IDENT records showed that DELGADO is the same person who is assigned immigration A-File number A205 279 646.

6. Based on the above information, there is probable cause to believe that DELGADO violated federal criminal law, specifically that he knowingly reentered the United States without the permission of the U.S. Attorney General or the Secretary of the Department of Homeland Security after being deported as a criminal alien convicted for the commission of an aggravated felony, in violation of Title 8, United States Code, Section(s) 1326(a) and (b)(2).